IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No. 1523 of 2003

For Approval and Signature:

HONOURABLE MR.JUSTICE JAYANT PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ? **-No.**

2 To be referred to the Reporter or not ?**-No.**

3 Whether their Lordships wish to see the fair copy of the judgment ?**-No.**

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?**-No.**

5 Whether it is to be circulated to the civil judge ?**-No.**

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RAMJIBHAI SAVABHAI AHIR - Appellant(s)
Versus
ALI MOHAMMAD JUSABHAI & 1 - Defendant(s)

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Appearance :

MR FB BRAHMBHATT for Appellant(s) : 1,
RULE SERVED for Defendant(s) : 1,
MR PV NANAVATI for Defendant(s) : 2,
MR VIBHUTI NANAVATI for Defendant(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE JAYANT PATEL

Date : 12/10/2007

ORAL JUDGMENT

Present appeal is against the interim award

dated 28/3/2003 passed by the Tribunal under Section 140 of the Motor Vehicles Act whereby the application for interim compensation has been rejected.

Considering the facts and circumstances, it appears that the main claim petition is of year 2000 being MACP No.304 of 2000 and no useful purpose would be served in deciding the question on the point of liability of the insurance company at this stage. Therefore, it would be just and proper to direct the Tribunal to decide the main claim petition no.304 of 2000 within some reasonable time.

Hence, the present appeal is disposed of with a direction that the Tribunal shall make attempt to decide the claim petition no.304 of 2000 as early as possible preferably within six months from the receipt of the order of this Court. First Appeals is disposed of accordingly.

(JAYANT PATEL, J.)

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